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COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

Tentative Notice of Action

MEETING DATE May 6, 2016 EFFECTIVE DATE May 20, 2016	CONTACT/PHONE Brandi Cummings, Project Manager (805) 781-5721 bcummings@co.slo.ca.us	APPLICANT David Salmon	FILE NO. DRC2015-00003
SUBJECT A request by DAVID SALMON for a Minor Use Permit (DRC2015-00003) to allow for the construction of a 6,170 square-foot (sf) single family residence with an attached 1,114 sf garage and a 176 sf storage space. The project includes an approximately 175 foot long driveway from Paseo de Caballo to the site. The project is located on the west side of Paseo de Caballo, approximately 1,500 feet southwest of Highway 1, approximately 400 ft. north of the community of San Luis Obispo. The site is in the San Luis Obispo Sub-area (north) of the San Luis Obispo Planning Area.			
RECOMMENDED ACTION 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Minor Use Permit DRC2015-00003 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on March 11, 2016 for this project. Mitigation measures are proposed to address Aesthetics and Biological Resources and are included as conditions of approval. Anyone interested in commenting or receiving a copy of the proposed Environmental Determination should submit a written statement. Comments will be accepted up until completion of the public hearing(s).			
LAND USE CATEGORY Residential Rural	COMBINING DESIGNATION Sensitive Resource Area	ASSESSOR PARCEL NUMBER 073-333-003	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: Sensitive Resource Area, Planning Impact Area, Bishop's Peak Ranch <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Height Limitation, Setbacks, Highway Corridor Design Standards <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become final action on the project, effective on the 15 th day following the administrative hearing, or on May 20, 2016, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
EXISTING USES: Vacant			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Rural/residence <i>South:</i> Residential Rural/open space <i>East:</i> Residential Rural/vacant <i>West:</i> City of San Luis Obispo/open space			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Building Division, Environmental Health, Cal Fire, City of San Luis Obispo	
TOPOGRAPHY: Moderately sloping to very steeply sloping	VEGETATION: Grasses
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Individual septic system Fire Protection: Cal Fire	ACCEPTANCE DATE: January 19, 2016

DISCUSSION

The applicant is proposing to construct a four-level split-floor residence and attached four-car garage. Also proposed is a 175 foot long driveway that traverses an easement across the property to the north. Also included is a bocce ball court and funicular along the north of the residence.

The subject property is located in Tract 2292 on Lot 2. This subdivision had conditions of approval for future development including Minor Use Permit approval for each residence. Other conditions of the subdivision with regard to Minor Use Permit approval include submittal of a landscaping plan, geologic report and a color and materials board. Specific conditions for Lot 2 state: Landscape screening, including clumps of trees, shall be provided such that 50% of the structure(s) is screened from Highway 1 within five years of planting. As proposed and conditioned, the residence complies with all of the conditions of Tract 2292.

PLANNING AREA STANDARDS:

Sensitive Resource Area. All projects within the Sensitive Resource Area identified in the San Luis Obispo Sub-area are subject to the Highway Corridor Standards contained in Section 22.10.095. San Luis Obispo Planning Area standards set forth requirements for construction of new structures in order to minimize grading and locate development in the least visible areas of the site.

Staff comments: The property proposed for this project is located within the Morros Sensitive Resource Area (SRA). This designation covers the scenic and important environmental attributes that are visible from scenic highways and the urban area. This is quantified by the ridges, peaks, hillsides, rock outcrops, oak woodlands, creeks, and other natural formations or locations of rare or endangered plants and animals. In particular, this SRA covers the tops of the peaks and ridges down to the 200 foot elevation (approximately) of Islay Hill, Righetti Hill, Cerro San Luis, Bishop Peak, Chumash Peak, Cerro Romauldo, and other smaller hills. These areas are visually prominent from Highways 1, 101, 227, Los Osos Valley Road, Foothill Boulevard, and Prefumo Canyon Road and have a beneficial effect on the economic stability of the recreation and tourism industries of the area. All applicable standards in the LUO Section 22.10.095 apply within this area (see below for more detail).

Planning Impact Areas. Applications for discretionary land use permits shall be referred by the County of San Luis Obispo to the City of San Luis Obispo for review and comments.

Staff comments: This project was referred to the City of San Luis Obispo and no comments were received.

Bishop Peak Ranch. New residential development shall be located to the maximum extent feasible in portions of the property subject to low to moderate biological, geological, visual, and slope constraints.

Staff comments: The applicant submitted geologic, biological, and visual reports for this project. The proposed residence is located in the least obtrusive location on the site.

LAND USE ORDINANCE STANDARDS:

22.10.090 - Height Limitation. The maximum allowed height in residential land use categories is 35 feet above average natural grade. The conditions of approval for this tract did not further restrict this lots height.

Staff comments: The proposed project is proposed at just less than 30 feet and therefore complies with this standard.

22.10.095 - Highway Corridor Design Standards. Minor Use Permits shall include a visual analysis that is prepared by a registered architect, landscape architect, or other qualified individual. The visual analysis shall be utilized to located development in the least visible portion of the site consistent with the protection of other resources, use vegetation and topographic features to screen development from view as much as possible, minimize building height and mass by using low-profile design where applicable and colors that harmonize with the surrounding natural environment, and provide landscaping to screen and buffer development through extensive use of trees and large-growing shrubs.

Staff comments: As designed, the proposed residence will be seen intermittently for northbound travelers on Highway 1. At 65 miles per hour, the residence is seen peek-a-boo style for approximately 10 seconds. Visible portions of the project are mostly limited to the upper levels of the residence, as the lower portions of the residence would be shielded by an existing residence to the north. No views of the residence are anticipated for southbound travelers due to the upsloping terrain along the southwest side of the highway.

The proposed multi-level residence proposed a maximum building height of just less than 30 feet from average natural grade. The proposed combination of materials (metal roofing, stone veneer, stuccos, metal sidings, wood sidings) and colors that harmonize with the surrounding natural environment will avoid massing effects and provide for a variety of color and material.

The project proposes grading for the driveway, building pad, and retaining walls which will result in cuts and fills up to 13 feet. The retaining walls are not anticipated to be visible to travelers on the highway, as an existing residence downslope would block most of the project beneath the proposed tree line.

The applicant submitted a landscaping and screening plan (Gardens by Gabriel, December 27, 2015). The proposed landscaping plan incorporates a multitude of trees and shrubs, of varying heights, shapes, and growth rates. At maturity, the landscaping will significantly reduce visibility of the residence from the highway.

Based on the above-discussed visual conditions and potential project impacts, the project will have potentially significant visual impacts that require mitigation. The project proposes to incorporate mitigation measures that will reduce visual impacts to a less than significant level.

22.10.140 – Setbacks. On any parcel larger than one acre, the setbacks are twenty-five feet in the front, and thirty feet on the sides and rear.

Staff comments: The proposed project meets these setbacks and proposed setbacks of 30 feet in the rear and right side, and setbacks of over 100 feet in the front and left side.

AGENCY REVIEW:

Public Works – Per referral response (Tomlinson, July 17, 2015), a drainage plan will be required at time of construction permit application.

Building Division – Per referral response (Stoker, July 14, 2015), project shall comply with all applicable building codes and requirements.

Environmental Health – No response.

Cal Fire – Per referral response (Craig, July 17, 2015), see attached Fire Safety Plan.

City of San Luis Obispo – No response

LEGAL LOT STATUS:

The one lot is Lot 2 of Tract 2292 and was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Brandi Cummings and reviewed by Karen Nall.